



State of Utah
Department of
Natural Resources

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Division of
Oil, Gas & Mining

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June 13, 2006

Wess Sorensen, Mine Manager
Canyon Fuel Company, LLC
HC 35 Box 380
Helper, Utah 84526

Subject: Silt Fence Removal, Canyon Fuel Company LLC, Skyline Mine,
C/007/0005, Task ID #2503, Outgoing File

Dear Mr. Sorenson:

The Division reviewed the Removal of Silt Fences amendment that we received on February 8, 2006. The purpose the amendment was to enable the Permittee to remove silt fences at several alternative sediment control areas (ASCAs) and re-designate the areas as small area exemptions (SAEs).

The Division determined that the information in the amended plan is inadequate, and that the justifications cited in your April 18, 2006 letter do not fully answer the deficiencies. A list of the technical deficiencies is included in this letter. Before the Division can approve the amendment, the following deficiencies must be adequately addressed.

The initials of the reviewer are at the end of each deficiency. If you have any question, comments or need additional clarification please contact the individual reviewer.

R645-301-742.240, the Permittee must *demonstrate* that siltation structures and alternate sediment control measures are no longer necessary for drainage from the disturbed areas to *meet effluent limitations* as Required in R645-301-751. While the vegetation information provided in the application is helpful, it does not constitute a demonstration of the expected water quality associated with such vegetation and the soil types and other hydrologic conditions encountered at these sites. According to 40 CFR Part 434 (Subpart H), the water quality parameter of importance at these small areas is possible sediment contribution offsite. Further, §434.82 (b) requires "Using watershed models, the operator must demonstrate that implementation of the Sediment Control Plan will result in average annual sediment yields that will not be greater than the sediment yield levels from pre-mined, undisturbed conditions. The operator must

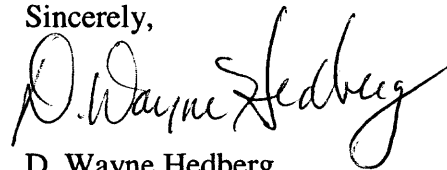
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use the same watershed model that was, or will be, used to acquire the SMCRA permit". [DD]

In order for us to continue to process your application, please respond to these deficiencies by July 12, 2006.

If you have any questions, please call me at (801) 538-5286 or Steve Demczak at (435) 613-1146, Ext. 202.

Sincerely,

A handwritten signature in black ink, reading "D. Wayne Hedberg". The signature is fluid and cursive, with the first name "D." and last name "Hedberg" clearly visible.

D. Wayne Hedberg
Permit Supervisor

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